

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Safety and Professional Services website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Safety and Professional Services from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Safety and Professional Services data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Safety and Professional Services, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name* as it appears on the order.
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Safety and Professional Services is shown on the Department's Web Site under "License Lookup."

The status of an appeal may be found on court access websites at:

<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>

- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DSPS website: An individual who believes that information on the website is inaccurate may contact DSPS@wisconsin.gov

DIVISION OF INDUSTRY SERVICES

4822 MADISON YARDS WAY

MADISON WI 53705

Contact Through Relay

<http://dsps.wi.gov/programs/industry-services>

www.wisconsin.gov



Tony Evers, Governor

Dawn B. Crim, Secretary

NOTICE OF VIOLATIONS AND ORDERS

June 7, 2021

MAPLE HOLLOW LLC

ATTN: MICHAEL CHRISMAN

2633 QUAIL LN

SUAMICO WI 54173

SITE:

RESCUE SQUAD BUILDING

4530 N BRANCH ST

TOWN OF WABENO, FOREST COUNTY

Regulated Objects:

ORDER 0007436

Nature of Complaint Summary: Failure to submit building plans

Object Type: Complaint (21 COM 50)

INVESTIGATION NOTES: An original Notice of Violations and Orders was entered against this site on June 7, 2018. No steps toward compliance were taken. This updated Notice of Violations and Orders shall replace the original Order as the Department became aware of new ownership. Property owners shall immediately begin working toward compliance. Failure to comply with this Order may lead to forfeitures or Stop Use Orders as allowed by Wisconsin Administrative Code SPS Chapter 303.

NOTE: Due to the uncertainty caused by COVID-19 the Department will extend compliance dates so long as work is being made on gaining compliance with orders or if the site is not being used due to restrictions.

The following violations were revealed at 4530 N Branch Street:

1. Violation: Building plans were not submitted for review and conditional approval for the newly constructed rescue squad alteration by the Department prior to commencing construction on this project as required.

Wis. Admin. Code § SPS 361.03 Application:

(1) Standards.

(a) The design and construction of public buildings and places of employment shall comply with s. SPS 361.05, except as otherwise provided in chs. SPS 361 to 366.

(b) The codes and standards that are referenced in this chapter, and any additional codes and standards which are subsequently referenced in those codes and standards, shall apply to the prescribed extent of each such reference, except as modified by this chapter.

(c) The requirements in IBC Appendix C may be applied to certain agricultural buildings, as specified in s. SPS 362.3600 (2), in lieu of corresponding, otherwise applicable requirements of chs. SPS 361 to 366.

Wis. Admin. Code § SPS 361.30 Plan review and approval. (1) TYPES OF BUILDINGS. (a) Except as provided in par. (b), Table 361.30-1, and sub. (4), the construction of, the alteration of, or the addition to a public building or a place of employment may not commence unless plans for the project have been submitted to and approved by the department or its authorized representative in accordance with s. SPS 361.31.

Required Action: Submit four sets of building plans (or one planset and three additional index sheets), with one set of calculations and specifications, a completed SBD-118 form, a copy of orders as issued by a Dept. representative from the field, and double fees to this Department for review and approval. If the building is over 50,000 cubic feet in total volume, all plans, calculations and specifications shall be properly stamped, signed and dated by a WI-registered architect or engineer.

2. Violation: HVAC plans not submitted.

SPS 361.30(3) - HVAC plans and appropriate calculations with fees were not submitted for review and conditional approval by the Department prior to installation. The submitted HVAC plans shall match the approved building plans. Note: as per SPS 302.10 installation of HVAC without approved plans will result in double plan review fees at the time of plan submission.

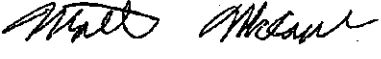
Required Action: Submit four (4) sets of plans, with one (1) set of calculations all of which are to be properly stamped, signed and dated, a completed SBD-118 form, a copy of orders as issued by a Dept. representative from the field.

You are hereby ordered to have the installation corrected to conform to the indicated provisions of the Wisconsin Administrative Code and/or Wisconsin Statutes. This installation shall be corrected by the compliance date noted, and upon correction of violations I must be notified. If you fail to comply, this order is enforceable in circuit court pursuant to Wis. Stat. 101.02(13), Stats., with forfeitures ranging from \$10 to \$100 per day for each violation.

If you have any questions regarding this matter, please feel free to contact commercial building inspector for the area Ryan Geiger at 608-235-7405 or ryan.geiger@wisconsin.gov.

Wis. Admin. Code § SPS 303.03 Permits any person affected by a rule of the department to petition for a variance of the rule. The petition needs to establish equivalency to the rule, be provided on the form from the department and be submitted with accompanying fee and municipal recommendation.

Wis. Stat. § 101.02(6) Any employer or other person interested either because of ownership in or occupation of any property affected by any such order, or otherwise, may petition for a hearing on the reasonableness of any order of the department in the manner provided in this subchapter. All requests must be received within 30 days of the date of this Order and shall set out specifically and in full detail the order upon which a hearing is desired and every reason why such order is unreasonable, and every issue to be considered by the department on the hearing. The petitioner shall be deemed to have finally waived all objections to any irregularities and illegalities in the order upon which a hearing is sought other than those set forth in the petition.

ATTORNEY NAME: Matthew McCasland		INVESTIGATION DATE: 3/2021
PHONE/WORK HOURS: (608) 266-9814		
E-MAIL: matthew.mccasland@wisconsin.gov		INVESTIGATION TYPE: Requested
SIGNATURE:	DATE:	INVESTIGATION SOURCE: Other
	6/7/2021	COMPLIANCE DATE: 9/1/2021

Enc: Original NOV and Orders

cc: Ryan Geiger

Lucas Dederich



Scott Walker, Governor
Laura Gutiérrez, Secretary

NOTICE OF VIOLATIONS AND ORDERS

June 07, 2018

CUST ID No.: 1452479 TRANSACTION No.: 3117607
Phone: 715/850-1602

JIM SMITH
4350 HWY 32 HWY
WABENO WI 54566

Site ID No.: 849961 Jim Smith Storage/ Rescue Squad
SITE ADDRESS: 4350 Hwy 32 Hwy
Forest County, Town of Wabeno
Site Contact:
Contact Phone:
Contact Fax:
Contact E-mail:

Regulated Objects:

Tenant Name or Addn/Alt Description: Jim Smith Storage/ Rescue Squad Building
Object Type: Building ICC Regulated Object ID No.: 1780832 Code Applies Date: 06/07/18
Addition-Alteration plan

INVESTIGATION NOTES:

This DEPARTMENT ORDER is issued as a result of an inspection on the above referenced site.

The following violations were revealed:

SPS 361.30 - Building plans were not submitted for review and conditional approval by the Department prior to commencing construction on this project as required. **Per s. SPS 302.10, construction started without approved plans results in double submittal fees at the time of plan submission.** Submit four sets of building plans (or one planset and three additional index sheets), with one set of calculations and specifications, a completed SBD-118 form, a copy of orders as issued by a Dept. representative from the field, and double fees to this Department for review and approval. If the building is over 50,000 cubic feet in total volume, all plans, calculations and specifications shall be properly stamped, signed and dated by a WI-registered architect or engineer.

Plans were not approved by the department for the newly constructed rescue squad alteration.

SPS 361.30(3) - HVAC plans and appropriate calculations with fees were not submitted for review and conditional approval by the Department prior to installation. The submitted HVAC plans shall match the approved building plans. Note: as per SPS 302.10 installation of HVAC without approved plans will result in double plan review fees at the time of plan submission. **Submit four (4) sets of plans, with one (1) set of calculations all of which are to be properly stamped, signed and dated, a completed SBD-118 form, a copy of orders as issued by a Dept. representative from the field, and double plan review fees to this Department for review and approval.**

You are hereby ordered to have the installation corrected to conform to the indicated provisions of the Wisconsin Administrative Code and/or Wisconsin Statutes. This installation shall be corrected by the compliance date noted, and upon correction of violations I must be notified. If you fail to comply, this order is enforceable in circuit court pursuant to s. 101.02(13), Stats., with forfeitures ranging from \$10 to \$100 per day for each violation

If you have any questions regarding this matter, please feel free to contact me at the number listed below.

SPS 303.03 Permits any person affected by a rule of the department to petition for a variance of the rule. The petition needs to establish equivalency to the rule, be provided on the form from the department and be submitted with accompanying fee and municipal recommendation.

Ch. 101.02(6)(e) stats. Any employer or other person interested either because of ownership in or occupation of any property affected by any such order, or otherwise, may petition for a hearing on the reasonableness of any order of the department in the manner provided in this subchapter.

INSPECTOR NAME: Ryan S Geiger		INVESTIGATION DATE: 06/07/2018
PHONE/WORK HOURS: (608)235-7405 ,		
E-MAIL: ryan.geiger@wi.gov		INVESTIGATION TYPE: Requested
SIGNATURE: Ryan S Geiger	DATE:	INVESTIGATION SOURCE: Permit To Operate
6/7/2018		COMPLIANCE DATE: 7/20/2018
		Fee Required: (Invoice will be send Separately)
		PTO Expires:

cc: